



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : David A. Martin
FOR : METHOD AND DEVICE FOR
SERIAL NO. : PREVENTING CHECK FRAUD
FILED : 09/345,202
LAST OFFICE ACTION : June 30, 1999
EXAMINER : N/A
GROUP ART UNIT : Akers
ATTORNEY DOCKET NO. : 2876
0236.0006
Akron, Ohio 44308-1147
November 28, 2001

CERTIFICATE OF MAILING

I hereby certify that this INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56 and §1.97 is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box DD, Commissioner for Patents, Washington, DC 20231, on the following date:

November 28, 2001

Jane E. Sigler
Jane E. Sigler

Box DD
Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.56 and §1.97

Dear Sir:

In accordance with 37 C.F.R. § 1.56, the applicant files this Information Disclosure Statement (IDS) under at least one of the following five circumstances:

☐ **There is No Information to disclose:** No patent novelty search was performed in this case and neither the Applicant nor the undersigned are aware of any prior art devices or documents which they believe to be material to the invention as claimed. This document is being supplied for informational purposes to the Examiner and is evidence of our desire to comply with the duty of disclosure.

☐ **Under § 1.97**, this IDS is filed with the knowledge that it will NOT be considered, but WILL be placed in the file, if

- (1) this IDS is filed BEFORE the grant of a patent; AND
- (2) this IDS does NOT comply with the requirements noted below

X **Under § 1.97(b)**, this IDS should be considered because it is being filed

- (1) within 3 months of the filing date of a national application, other than a continued prosecution application under § 1.53(d); OR
- (2) within three (3) months of the date of entry of the national stage of an international application as set forth in § 1.491; OR
- (3) before the mailing date of a first Office Action on the merits; OR
- (4) before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114,
whichever occurs last.

Under § 1.97(c): this IDS should be considered because it is being filed after the period specified Under § 1.97(b) above, BUT

- (1) before either the mailing date of a final action under § 1.113 OR
- (2) before the mailing date of a notice of allowance under § 1.311; OR
- (3) before an action that otherwise closes prosecution in the application,
whichever occurs last AND

it is accompanied by one of the following statements under § 1.97(e):

I, Daniel A. Thomson, the undersigned hereby state:

(a) ☐ Each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, OR

(b) ☐ To the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than 3 months prior to the filing of this statement; OR

☐ A check in the amount of \$ 180.00 is enclosed to cover the Information Disclosure Statement (IDS) Fee under 37 C.F.R. § 1.17(p) as required when neither item (1) nor (2) above are selected.

☐ Under § 1.97(d): this IDS should be considered because

(1) it is being filed after the period specified Under § 1.97(c) above but ON OR BEFORE payment of the issue fee, AND

(2) it is accompanied by one of the following statements under § 1.97(e):

I, Daniel A. Thomson, the undersigned hereby state:

(a) ☐ Each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, OR

(b) ☐ To the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than 3 months prior to the filing of this statement; AND

☐ A check in the amount of \$ 180.00 is enclosed for the petition fee as set forth under 37 C.F.R. § 1.17(i).

In accordance with § 1.56 and § 1.97 the references listed on the attached form PTO/SB/08A are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. Copies of these cited documents are enclosed.

☒ Please charge deposit account No. 05-0875 if any additional fees are required.

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO/SB/08A, with initials or other appropriate marks.

Respectfully submitted,

EMERSON & SKERLOTIS

Date

November 28, 2001



Daniel A. Thomson, Esq.

Reg. No. 43, 189

One Cascade Plaza - Fourteenth Floor
Akron, Ohio 44308-1147

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Sheet		of		Application Number	09/395,481
				Filing Date	9/14/99
				First Named Inventor	David A. Martin
				Art Unit	2876
				Examiner Name	Akers
				Attorney Docket Number	0236.0006

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, lines, Where Relevant Passages or Relevant Figures Appear
		Number--Kind Code ² (If known)			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (If known)				

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (In CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁶
		Electronic Checks at Wal-Mart Begin Test; The Akron Beacon Journal, Section B, page 1 October 8, 2001, Akron, Ohio	
		Electronic Check Acceptance Introduced Nationwide; Telecheck, A First Database Company; Houston; June 17, 1998	
		Electronic Check Acceptance Introduced Nationwide; Telecheck, A First Database Company; Houston; May 6, 1999	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Approved for use through 10/31/2002. OMB 0651-0031

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